

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PTAK v. DAMM, ET AL.  
5:03-CV-927 (NPM/GJD)

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RONALD J. PELLIGRA, ESQ., For Plaintiff  
STEPHEN T. HELMER, ESQ., For Defendants

SETTLEMENT ORDER

The court has received a "Settlement Agreement and Release" dated April 7, 2005 showing that this action has been settled.

Now, on motion of Ronald J. Pelligra, Esq., attorney for the Plaintiff, it is hereby

ORDERED, that the Plaintiff/Executor shall settle the claim on behalf the estate of John P. Ptak for damages as a result of pain, suffering and death, in the sum of Six Hundred Twenty Five Thousand & 00/100 U.S. Dollars (\$625,000.00); and it is further

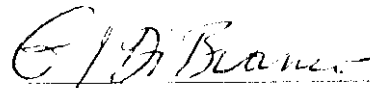
ORDERED, that Plaintiff/Executor shall execute any necessary releases in consideration of payment of said amount on behalf of the estate; and the parties, their respective attorneys and Defendants' insurer each having entered into a Settlement Agreement and Release as a complete compromise and in full satisfaction for damages as a result of the pain, suffering and death of decedent,

John P. Ptak; and it is further

ORDERED, that said settlement sum shall be due and payable to Ronald J. Pelligra, Esq. as attorney for Gary M. Ptak, as Executor of the Estate of John P. Ptak, not later than ten (10) days from the date of this order; and it is further

ORDERED, that conditioned upon compliance with the terms of the Settlement Agreement and Release and this Order, this action shall be deemed settled and dismissed.

Dated: April 13, 2005

A handwritten signature in cursive script, appearing to read "G. J. DiBianco", is written over a horizontal line.

Hon. Gustave J. DiBianco  
U.S. Magistrate Judge